

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	:	
YEHUDA KATZ,	:	
Individually and on behalf of a class,	:	Case No. 12 Civ. 4173 (ENV)(RER)
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
ABP CORPORATION and DOES 1-10,	:	
	:	
Defendant.	:	
-----X	:	

DECLARATION OF ROBERT L. LASH, ESQ.

Robert L. Lash, an attorney admitted to practice before this Court, hereby declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the associated with Herzfeld & Rubin, P.C., co-counsel for Plaintiff in this matter. I have personal knowledge of the facts and circumstances stated herein.
2. I submit this declaration in support of Plaintiff's motion for conditional class certification and preliminary approval of the proposed settlement.
3. A true and correct copy of the transaction receipt provided to Plaintiff Yehuda Katz at an Au Bon Pain retail location on August 5, 2012 is attached as Exhibit A.
4. A true and correct copy of the Agreement of Settlement entered between the parties hereto is attached as Exhibit B.
5. A Proposed Order Granting Preliminary Approval is attached as Exhibit C.
6. A Proposed Order Granting Final Approval of Class Settlement Agreement and Issuance of Final Judgment and Order of Dismissal is attached as Exhibit D.

7. Declarations from Plaintiff's counsel in support of their qualifications to serve as Class Counsel are attached as Exhibit E.

8. A true and correct copy of the form of the notice to be printed on receipts at Defendant's retail locations pursuant to the Settlement Agreement is attached as Exhibit F.

9. A true and correct copy of the form of the notice to be published in the USA Today, or other newspapers, pursuant to the Settlement Agreement is attached as Exhibit G.

10. A true and correct copy of the form of website notice to be posted on the website created for this matter by the Settlement Administrator pursuant to the Settlement Agreement is attached as Exhibit H.


11. A true and correct copy of the form of the full legal notice to be posted on the website created for this matter by the Settlement Administrator pursuant to the Settlement Agreement is attached as Exhibit I.

12. A true and correct copy of the form of the Claims Form to be posted on the website created for this matter by the Settlement Administrator pursuant to the Settlement Agreement is attached as Exhibit J.

13. I have performed an online search and did not locate any other actions pending against Defendant ABP Corporation for alleged violations of the Fair and Accurate Credit Transactions Act, 15 U.S.C. § 1681 *et seq.* ("FACTA").

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 3, 2014


Robert L. Lash